



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Application of William Gartner,)
et al.)
Examiner: Suhol, Dmitry)
For: Self-Scoring Method and Apparatus)
for Early Self Screening of)
Neurological Disease)
Serial No.: 10/694,664)
Filed: November 29, 2003) Art Unit: 3712

RESPONSE TO OFFICE ACTION

October 28, 2004

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Office Action mailed on April 29, 2004 (the "Office Action"). Claims 1-20 are pending in the application. Claims 1-20 have been rejected under 35 U.S.C. § 103(a).

More particularly, claims 1-3 and 5-13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over "Recent Progress in the Development of a Clinically Useful

Microencapsulated Olfactory Function Test" by Doty et al. (the "RPDOT") in view of WO 89/00398 of Cotman ("Cotman") and U.S. Patent No. 3,570,139 of Ladd, et al. ("Ladd '139").

Claims 1-13 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the RPDOT in view of Cotman and U.S. Patent No. 2,977,689 of Rugland et al. ("Rugland '689"). Claims 14-20 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over the RPDOT in view of Cotman, Ladd '139 and Buschke 5,230,629 ("Buschke '629").



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TRANSMITTAL LETTER

October 28, 2004

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

In connection with the application identified above, enclosed is a Petition for Extension of Time, a check payable to "Director, USPTO" in the amount of \$490.00, a Response to Office Action and a return receipt postcard addressed to Applicant's attorney. Please file the Petition and the Response, mark the postcard with the date of receipt, and return it to the undersigned attorney. Thank you for your cooperation.

Sincerely,

Paul S. Weidlich
(Registration No. 43,980)
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed, with postage prepaid, to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 28, 2004.

Donna Guy

Date of Signature: October 28, 2004

Applicants offer the following remarks to address the rejections of their claims. Applicants respectfully request reconsideration of the application in view of such remarks and amendments.

Because no claims are being added beyond the number for which a fee was previously paid, the filing of this Response to Office Action does not require the payment of an additional filing fee.

Applicants submit herewith a Petition for Extension of Time in which to Respond to Office Action and a check in the amount of \$490.00 to cover the fee for a three-month extension.